

1 Timothy J. Conway, OSB No. 851752  
Direct Dial: (503) 802-2027  
2 Email: tim.conway@tonkon.com  
3 Michael W. Fletcher, OSB No. 010448  
Direct Dial: (503) 802-2169  
4 E-Mail: michael.fletcher@tonkon.com  
Ava Schoen, OSB No. 044072  
5 Direct Dial: (503) 802-2143  
Email: ava.schoen@tonkon.com  
6 Tonkon Torp LLP  
888 SW Fifth Ave., Suite 1600  
7 Portland, OR 97204  
Main: 503.221.1440  
8 Facsimile: 503.274.8779

9 Attorneys for Debtor

10 UNITED STATES BANKRUPTCY COURT  
11 DISTRICT OF OREGON

12 In re

13 Van's Aircraft, Inc.,

14 Debtor.  
15

Case No. 23-62260-dwh11

**DECLARATION OF CLYDE A.  
HAMSTREET IN SUPPORT OF  
DEBTOR'S MOTION TO EXTEND  
TIME TO FILE SUBCHAPTER V PLAN**

16 I, Clyde A. Hamstreet, declare under penalty of perjury under the laws of the United  
17 States of America that the following is true and correct to the best of my knowledge and belief,  
18 that I am competent to testify to the matters stated herein, and that I understand they are made for  
19 use as evidence in court and are subject to penalty for perjury.

20 1. I, Clyde A. Hamstreet, through Hamstreet & Associates, LLC, was retained by  
21 Van's Aircraft, Inc. ("Debtor" or "Vans") to provide financial and business consulting services.  
22 Hamstreet & Associates, LLC's employment as chief restructuring officer of Debtor was  
23 approved by Court order on January 17, 2024.

24 2. I submit this declaration in support of Debtor's Motion to Extend Time to File  
25 Subchapter V Plan, filed with the Court contemporaneously herewith. Except as otherwise  
26 indicated, all facts set forth in this declaration are based on my personal knowledge; my review

1 of relevant documents; or my opinion based upon my experience, knowledge, and information  
2 concerning Debtor's bankruptcy case, business operations, and financial affairs. If called upon  
3 to testify, I would testify to the facts set forth in this declaration.

4 3. Due to the ongoing complexity of Debtor's case, demands of Debtor's business  
5 operations, and other extenuating circumstances beyond Debtor's control as described below,  
6 Debtor will not be able to file its Plan by the current due date and seeks an extension through  
7 March 29, 2024.

8 4. Debtor has worked diligently with its vendors, suppliers, and customers to reach  
9 agreement on terms that would allow Debtor to successfully reorganize. Debtor is pleased to  
10 report that it has been successful in doing so but it took longer to finalize such arrangements than  
11 originally anticipated. In addition, Debtor's senior staff, whose input and attention is critical for  
12 formulation of the Plan, have had to address unforeseen complexities in a number of areas  
13 including the completion testing and analysis of the effect of cracking in the dimpled edge of  
14 laser cut parts and the manufacture and distribution of replacement parts. These tasks have  
15 proven to be unexpectedly complex and time-consuming, diverting the attention and energies of  
16 Debtor's senior staff and accounting personnel away from the completion of Debtor's financial  
17 projections and the formulation of its Plan.

18 5. In addition, a portion of the company's current equity is held by Van's Employee  
19 Stock Ownership Plan and Trust ("ESOP"). The ESOP filed a proof of claim on February 12,  
20 2024, in an amount to be determined and an additional 33 proof of claims have recently been  
21 filed by current and former employees related to their interests in the ESOP. It is expected that  
22 the plan will terminate all existing equity in the company, including the interests held by the  
23 ESOP. In order to address the issues with the recently filed claims and terminate the ESOP in a  
24 manner that will provide appropriate protection to the employees, the Debtor recently employed  
25 special counsel to advise it on ESOP issues. As part of that process, an appraisal and audit needs  
26 to be completed. The appraisal and audit are expected to be completed by mid to late March.

1 Debtor anticipates it will be able to file its Plan once the appraisal and audit have been  
2 completed.

3 6. Debtor, with the assistance of myself and my staff, has been and continues to  
4 work diligently on accurately completing its financial projections and formulating its Plan, and  
5 has in fact made significant progress towards completing such, but requires the requested  
6 extension to do so.

7 **I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS**  
8 **TRUE AND CORRECT.**

9 DATED: March 4, 2024.

10  
11 /s/ Clyde A. Hamstreet  
12 Clyde A. Hamstreet

13 043989\00001\16982916v2  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26